

**REMARKS**

**Claims 1-4 and 6 are rejected under 35 U.S.C. §102 as being anticipated by Muller (U.S. Patent 4,597,752).**

With respect, the rejection is in error because Muller does not disclose a swing arm. Muller describes a paper guide means 102 that has a variable length, but is fixed in its orientation.

The guide means 102 consists of guide lattices or grids 24 and 43 that form a guide channel 44 for the paper web. The guide lattice 24 is "vertically displaceable" on rods 23, and the rods 23 are "secured ... to the housing portion 39 of the printer" (col. 4, lines 23-28). See Fig. 2. In more detail: an upper lattice portion 26 comprises members 25, with tubular lower portions 40, that are "supported" on a cross member 110 with a support block 28 at either end; the support blocks 28 slide on hollow members 29 fixed to the housing portion 39 (col. 4, lines 32-37). At the lower end, a lower lattice part 27 has rods 41, sliding in the tubular portions 40, that are "secured" on a cross member 111 that is connected to rod members 34; Muller states that "it is to be noted that the lower lattice portion ... is connected to a frame of the piler means 3" (col. 4, lines 56-63). Thus, the guide means 102 is fixed at top and bottom.

Muller's guide means 102 varies with the height of the paper stack 2, not with any swinging motion. (The piler means 3 is vertically movable by lifting chains 14 (see Fig. 1) in response to limit switches; see col. 3, lines 60-63 and col. 4, lines 6-15.)

As to claim 2, this cannot be anticipated because there is no swinging and therefore there can be greater arm extension at the extremes of the swing. Claims 3-4 are likewise not disclosed. As to claim 6, the arguments above apply equally to it.

**Claim 5 is rejected under 35 U.S.C. §103 as being unpatentable over Muller in view of Inouye (U.S. Patent 4,723,488).**

The Examiner applies Inouye for sensors 1717 and 1718 that detect the positions of the paper stack and raise and lower the paper table 16; see Fig. 6A(a). The sensors 1717 and 1718 are photoelectric, each comprising a light sensors and a light emitter. They are mounted on the ends of arms 1715 and 1716 (Fig. 6A(a)), and the arms 1715 and 1716 are mounted on a frame

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17A (Fig. 6B). Thus, the sensors are immovable relative to the paddle 15 (col. 13, lines 21-27).

The sensors 1717 and 1718 control the elevation of the delivery table 16 through their connection to the table elevating motor 1703 (col. 13, lines 27-34).

With respect, there is no connection between the sensors 1717 and 1718 and the operation of the paddle 15. Inouye states, "The swing angle of the paddle 15 is varied with the vertical size of the continuous paper 12." The paragraph starting at col. 14, line 4, describing Figs. 6C and 6D, makes it clear that "the vertical size of the continuous paper 12" means the distance between the creases on the paper 12. The "vertical size" is entered by the operator (col. 15, lines 47-49, col. 18, lines 31-36, and reference 33 in Fig. 17).

Initialization of the paddle position is described at col. 15, lines 35-44, and col. 18, lines 24-46, and the operation of the paddle 15 is described at col. 20, line 16 through col. 21, line 26. The swing of the paddle 15 is computer-controlled according to the position of the paper, as referenced to the rotary drum inside the machine (col. 21, lines 5-10). There is no disclosure of controlling the swing of the paddle 15 according to feedback from any sensor at the position where the paper is stacked or any sensor that detects the folding of the paper.

The Applicant sees nothing to anticipate the "error detection mechanism for detecting any fold error of said continuous medium" that is recited in claim 5, nor any control means for stopping the swinging of the arm or lowering and raising the table when a folding error is detected. The mechanism pointed out by the Examiner is believed to respond only to the height of the paper stack and not to any folding error.

It appears that if the paper mis-folded and by accident blocked the light path of the sensor 1717 in Fig. 6A(a), then the result would be that the table 16 would be lowered but not raised again, and the paddle 15 would continue to swing as before.

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In view of the aforementioned amendments and accompanying remarks, the claims are believed to be in condition for allowance. Withdrawal of the rejection and allowance of all claims is requested.

In the event this paper is not timely filed, then this paper is a petition for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper may be charged to Deposit Account No. 01-2340. Favorable consideration and allowance are respectfully solicited.

Respectfully submitted,

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